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Economic and Social Council

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18 January, 15-18 February and 27 and 28 April 2011
Agenda item 3
Basic programme of work of the Council

Single Convention on Narcotic Drugs, 1961, as amended by the Protocol amending the Single Convention on Narcotic Drugs, 1961 (New York, 8 August 1975)

Proposal of amendments by the Plurinational State of Bolivia to article 49, paragraphs 1 (c) and 2 (e)

Note by the Secretary-General

In its decision 2009/250 of 30 July 2009, the Economic and Social Council, taking note of the note by the Secretary-General (E/2009/78) on the proposal of the Government of the Plurinational State of Bolivia to amend article 49, paragraphs 1 (c) and 2 (e), of the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol,[1] decided, in accordance with article 47, paragraph 1, of the Convention as amended, to initiate the procedures established in paragraph 1 (b) of that article, which states that the parties shall be asked whether they accept the proposed amendment and also asked to submit to the Economic and Social Council any comments on the proposal.

The Secretary-General, acting in his capacity as depositary, communicated to the parties to the Convention the text of Council decision 2009/250 in a Depositary Notification[2] dated 30 July 2009.

The Secretary-General is hereby communicating to the Council a note verbale dated 19 January 2011 from the United States Mission to the United Nations (see annex).

[1] United Nations, *Treaty Series*, vol. 976, No. 14152.
[2] C.N.474.2009.TREATIES-3.

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Annex

Diplomatic note dated 19 January 2011 from the United States Mission to the United Nations

The United States Mission to the United Nations presents its compliments to the United Nations and refers to the Secretary-General's note C.N.194.2009.TREATIES-2 (Depositary Notification), dated 6 April 2009, which communicated a proposal to amend the Single Convention on Narcotic Drugs, 1961, as amended by the Protocol amending the Single Convention on Narcotic Drugs (1972) (the Single Convention); and to the Secretary-General's note C.N.474.2009.TREATIES-3 (Depositary Notification), dated 30 July 2009, which informed the parties to the Single Convention of the decision of the Economic and Social Council to initiate the procedures established in accordance with article 47, paragraph 1 (b), of the Single Convention with regard to the proposal.

Through ratification of the Single Convention, Member States undertake an obligation to limit the trade and use of narcotic drugs exclusively to medical and scientific purposes. Member States also recognize that measures against the abuse of narcotic drugs require coordinated and universal action. Schedule I to the Single Convention lists coca leaf as a narcotic drug. In considering the proposed amendment, Member States must remain guided by the principles and objectives of the Single Convention.

In accordance with article 47, paragraph 1 (b), of the Single Convention, the Mission informs the United Nations that the United States of America, consistent with its general obligations outlined in article 4 of the Convention, does not accept the proposed amendment.

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Single Convention on Narcotic Drugs, 1961, as amended by the Protocol amending the Single Convention on Narcotic Drugs, 1961 (New York, 8 August 1975)

Proposal of amendments by the Plurinational State of Bolivia to article 49, paragraphs 1 (c) and 2 (e)

Note by the Secretary-General

In its decision 2009/250 of 30 July 2009, the Economic and Social Council, taking note of the note by the Secretary-General (E/2009/78) on the proposal of the Government of the Plurinational State of Bolivia to amend article 49, paragraphs 1 (c) and 2 (e), of the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol,[1] decided, in accordance with article 47, paragraph 1, of the Convention as amended, to initiate the procedures established in paragraph 1 (b) of that article, which states that the parties shall be asked whether they accept the proposed amendment and also asked to submit to the Economic and Social Council any comments on the proposal.

The Secretary-General, acting in his capacity as depositary, communicated to the parties to the Convention the text of Council decision 2009/250 in a Depositary Notification[2] dated 30 July 2009.

The Secretary-General is hereby communicating to the Council a note verbale dated 20 January 2011 from the Permanent Mission of Sweden to the United Nations (see annex).

[1] United Nations, *Treaty Series*, vol. 976, No. 14152.
[2] C.N.474.2009.TREATIES-3.

11-21319 (E) 280111

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Annex

Note verbale dated 20 January 2011 from the Permanent Mission of Sweden to the United Nations addressed to the Secretary-General

The Permanent Mission of Sweden to the United Nations presents its compliments to the Secretary-General and has the honour to refer to the proposal by the Government of the Plurinational State of Bolivia, communicated in Depositary Notification C.N.194.2009.TREATIES-2 of 6 April 2009, to amend article 49, paragraphs 1 (c) and 2 (e) of the Single Convention on Narcotic Drugs, 1961, as amended by the 1972 Protocol amending the Single Convention on Narcotic Drugs (the Convention). The States parties to the Convention have been asked to pronounce themselves on the proposal, aimed at the recognition of the traditional use of coca leaf.

Sweden is fully aware of the importance of the efforts of the Plurinational State of Bolivia to reduce the production and trade in illicit coca products. Sweden also understands the concern that the Government of the Plurinational State of Bolivia has expressed concerning the conflict between the drug control conventions of the United Nations and the traditional chewing of coca leaf.

However, the Government of Sweden is of the opinion that the proposal poses the risk of creating a political precedent and might directly infringe on the international legal framework for the fight against drugs. This would send a negative signal that would be out of step with the actions undertaken in order to fight drug trafficking and drug use. The opening of a plenipotentiary conference to discuss these matters should also be avoided.

For the above-mentioned reasons, Sweden therefore rejects the proposed amendment, in accordance with article 47, paragraph 2, of the Convention.

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Proposal of amendments by the Plurinational State of Bolivia to article 49, paragraphs 1 (c) and 2 (e)

Note by the Secretary-General

In its decision 2009/250 of 30 July 2009, the Economic and Social Council, taking note of the note by the Secretary-General (E/2009/78) on the proposal of the Government of the Plurinational State of Bolivia to amend article 49, paragraphs 1 (c) and 2 (e), of the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol,[1] decided, in accordance with article 47, paragraph 1, of the Convention as amended, to initiate the procedures established in paragraph 1 (b) of that article, which states that the parties shall be asked whether they accept the proposed amendment and also asked to submit to the Economic and Social Council any comments on the proposal.

The Secretary-General, acting in his capacity as depositary, communicated to the parties to the Convention the text of Council decision 2009/250 in a Depositary Notification[2] dated 30 July 2009.

The Secretary-General is hereby communicating to the Council a note verbale dated 21 January 2011 from the Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations (see annex).

[1] United Nations, *Treaty Series*, vol. 976, No. 14152.
[2] C.N.474.2009.TREATIES-3.

11-21326 (E) 280111

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Annex

Note verbale dated 21 January 2011 from the Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

The Permanent Mission of the United Kingdom of Great Britain and Northern Ireland presents its compliments to the Secretary-General and has the honour to refer to Secretary-General's Depositary Notification C.N.194.2009.TREATIES-2 dated 6 April 2009, which communicated a proposal of amendments by the Plurinational State of Bolivia to the Single Convention on Narcotic Drugs, 1961, as amended by the 1972 Protocol amending the Single Convention on Narcotic Drugs (the Single Convention), and to Secretary-General's Depositary Notification C.N.474.2009.TREATIES-3 dated 30 July 2009, which informed the parties to the Single Convention of the decision of the Economic and Social Council to initiate the procedures established under article 47, paragraph 1 (b), of the Single Convention with regard to the proposal.

States parties to the Single Convention undertake an obligation to limit the trade and use of narcotic drugs exclusively to medical and scientific purposes. States parties also recognize that measures against abuse of narcotic drugs require coordinated and universal action. Schedule I to the Single Convention lists coca leaf as a narcotic drug. In considering the proposal of amendments, States parties should be guided by the object and purpose of the Single Convention.

In the light of those considerations, the Government of the United Kingdom of Great Britain and Northern Ireland hereby informs the Secretary-General, in accordance with article 47, paragraph 1 (b), of the Single Convention, that it does not accept the proposal of amendments submitted by the Plurinational State of Bolivia.